

SECTION II - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 2)

NOTE: The terms "applicant and "parties to this application" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

4. List the applicant, and, if other than a natural person, its officers, directors, stockholders and partners with attributable interests. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

- a. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.

- b. Citizenship.

- c. Office or directorship held.

- d. Number of shares or nature of partnership interests.

- e. Number of votes.

- f. Percentage of votes.

NOTE: Radio Applicants ONLY: Radio applicants need not respond to subparts g. and h. of the table. Instead, proceed and respond to Questions 5, 6 and 7, Section II below.

- g. Other existing attributable interests in any broadcast station, including the nature and size of such interests.

- h. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

a.	Moss Entertainment Corp.* PO Box 12379 Aspen, CO 81612	Charles B. Moss, Jr. PO Box 12379 Aspen, CO 81612	Robin H. Moss, As Trustee for the Charles B. Moss, Jr. Family Trust PO Box 12379 Aspen, CO 81612
b.	Colorado Corp.	U.S.	U.S.
c.	---	President/Director	Vice President/Secretary/ Director
d.	---	51 shares	49 shares
e.	---	51 votes	49 votes
f.	---	51%	49%
g.	See §II, pars. 5, 6, 7	See §II, pars. 5, 6, 7	See §II, pars. 5, 6, 7
h.	See §II, pars 5, 6, 7	See §II, pars. 5, 6, 7	See §II, pars. 5, 6, 7

SECTION 11 - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 3)

RADIO APPLICANTS ONLY NEED TO RESPOND TO QUESTIONS 5, 6 AND 7.

5. Does the applicant, or any party to the application, own, or have an attributable interest in: (a) any AM, FM or TV station; or (b) a daily newspaper in the same market(s) as the station(s) being acquired? ☒ Yes ☐ No

6. Does the applicant, or any party to the application, broker more than 15 percent of the broadcast hours per week of any AM or FM station in a market in which the applicant, or party to the application, has an attributable interest in any AM or FM station? See 47 C.F.R. Section 73.3555(a) for definition of "radio market." ☐ Yes ☒ No

If the answer to 5 or 6 is Yes, set forth in an Exhibit, name of party having interest; nature of the interest; call letters and location of stations involved; and identification of newspaper, where applicable.

Exhibit No.
2

7. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 3.16 mV/m contour for FM) of any AM or FM station being acquired overlap the principal community service contour of:
N/A

(a) an AM or FM station which is directly or indirectly owned, operated or controlled by the applicant or any party to the application; or ☐ Yes ☐ No

(b) an AM or FM station at which more than 15 percent of the broadcast time per week is brokered by the applicant or any party to the application? ☐ Yes ☐ No

If the answer to (a) or (b) is Yes, do you certify that the ownership interests which will result from grant of the application(s) comply with 47 C.F.R. Section 73.3555(a), or that appropriate waivers of that section are herein sought? ☐ Yes ☐ No

If Yes, attach a separate Exhibit containing the market and audience information necessary to demonstrate compliance.

Exhibit No.

Note: With reference to the Radio Contour Overlap Rule of 47 C.F.R. Section 73.3555(a), the applicant's Exhibit must include: (i) a map that clearly identifies, by relevant contours, the location and geographic coverage of the market or markets involved; (ii) the number of commercial AM and FM stations counted as being in the market or markets, including a map that shows the principal community contours of the stations that define the market or markets and the principal community contours of all commercial stations intersecting with the principal community contours of these stations; (iii) for markets with 15 or more commercial radio stations, a combined audience share figure, the basis and/or source material for this figure, and the results and qualification of any commissioned audience survey or alternative showing used; and (iv) the call letters and locations of all stations in the market or markets that are, or are proposed to be, commonly owned, operated or controlled, including any AM or FM station in the market for which the applicant or any party to the application brokers more than 15 percent of that station's broadcast time per week.

8. Does the applicant, or any party to the application, have:

(a) a petition pending to migrate to the expanded band (1605-1705 kHz)? ☐ Yes ☒ No

(b) a permit or license in either the existing band (535-1605 kHz) or expanded band (1605-1705 kHz) that is held in combination with the station(s) proposed to be sold? ☐ Yes ☒ No

If Yes, provide particulars as an Exhibit.

Exhibit No.
N/A

SECTION II - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 4)

9. Does the applicant or any party to this application have any interest in or connection with a broadcast application pending before the FCC?

☐ Yes ☒ No

10. Has the applicant or any party to this application had any interest in or connection with the following:

(a) an application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(b) an application which has been denied by the Commission?

☐ Yes ☒ No

(c) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(d) an application in any Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in 9 or 10 is Yes, state in an Exhibit the following information:

Exhibit No.

N/A

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

11. (a) Are any of the parties to this application related (as husband, wife, father, mother, brother, sister, son or daughter) either to each other or to individuals holding nonattributable interests of 5% or more in the applicant?

☒ Yes ☐ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to this application have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see 47 C.F.R. Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see 47 C.F.R. Section 76.501(a))?

☒ Yes ☐ No

If the answer to (a) or (b) above is Yes, attach as an Exhibit a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

2

12. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction B to Section II.)

☐ Yes ☐ No

N/A

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see 47 C.F.R. Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see 47 C.F.R. Section 76.501(a))?

☐ Yes ☐ No

N/A

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

SECTION II - ASSIGNEE'S LEGAL QUALIFICATIONS (Page 5)

13. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section II.)

☐ Yes ☒ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach as an Exhibit a full disclosure concerning this assistance.

Exhibit No.
N/A

14. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body with respect to the applicant or parties to this application in a civil or criminal proceeding, brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☒ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.
N/A

15. Are there any documents, instruments, contracts or understandings relating to ownership or future ownership rights (including, but not limited to, non-voting stock interests, beneficial stock ownership interests, options, warrants, debentures)?

☐ Yes ☒ No

If Yes, provide particulars in an Exhibit.

Exhibit No.
N/A

16. Do documents, instruments, agreements or understandings for the pledge of stock of a corporate applicant, as security for loans or contractual performance, provide that (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of stockholder rights by the purchaser at such sale, the prior consent of the Commission (pursuant to 47 U.S.C. Section 310(d)) will be obtained?

☐ Yes ☐ No
☒ Does Not Apply

If No, attach as an Exhibit a full explanation.

Exhibit No.

No such documents exist, but future documents will so provide.

SECTION III - ASSIGNEE'S FINANCIAL QUALIFICATIONS

The applicant certifies that sufficient net liquid assets are on hand or are available from committed resources to consummate the transaction and operate the facilities for three months.

☒ Yes ☐ No

SECTION IV - ASSIGNEE'S PROGRAM SERVICE STATEMENT

Attach as an Exhibit a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.
3

SECTION V - ASSIGNEE'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Does the applicant propose to employ five or more fulltime employees?

☒ Yes ☐ No

If the answer is Yes, the applicant must include an EEO program called for in the separate Model EEO Program Report (FCC Form 396-A).

SECTION VI - CERTIFICATION

Part I - Assignor

1. Has or will the assignor comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☐ Yes ☐ No

2. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☐ Yes ☐ No

The ASSIGNOR acknowledges that all its statements made in this application and attached exhibits are considered material representations, and that all of its exhibits are a material part hereof and are incorporated herein.

The ASSIGNOR represents that this application is not filed by it for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the ASSIGNOR has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in the information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify that the ASSIGNOR'S statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name of Assignor	Signature
Title	Date

SECTION VI - CERTIFICATION (Page 2)

Part II - Assignee

By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes ☐ No

The ASSIGNEE hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)


The ASSIGNEE acknowledges that all its statements made in this application and attached exhibits are considered material representations, and that all its exhibits are a material part hereof and are incorporated herein.

The ASSIGNEE represents that this application is not filed by it for the purpose of impeding, obstructing or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the ASSIGNEE has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in the information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OF CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify that the ASSIGNEE'S statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name of Assignee Moss Entertainment Corp.	Signature 
Title President	Date July 26, 1993

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use this information to determine whether grant of this application is in the public interest. In reaching that determination, or for law enforcement purposes, it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 95-579, DECEMBER 31, 1974, 5 U.S.C. 552(e)(3) AND THE PAPERWORK REDUCTION ACT, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

MOSS ENTERTAINMENT CORP.

Exhibit 1
(July 1993)

ASSIGNMENT OF CONTRACT RIGHTS


KNOW ALL MEN BY THESE PRESENTS, that, for good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, PEARCE EQUITIES GROUP II, L.L.C., a Colorado limited liability company ("Assignor"), intending to be bound hereunder, does hereby grant, bargain, sell, convey, transfer, assign, and deliver to Moss Entertainment Corp., a Colorado corporation, its successors and assigns ("Assignee") all of Assignor's right, title, and interest in, to and under that certain Station Sale Agreement, dated June 17, 1993, between Assignor and Gardiner Broadcast Partners, Ltd., a Colorado limited partnership.

1. Nothing contained herein shall require Assignee to perform, pay or discharge any liability, obligation or commitment expressly assumed by Assignee so long as Assignee in good faith contests or causes to be contested the amount or validity thereof.

2. Nothing herein shall be deemed to deprive Assignee of any defenses, set-offs or counterclaims which Assignor may have had or which Assignee shall have the respect to any of the obligations hereby assumed (the "Defenses and Claims"). Assignor hereby transfers, conveys and assigns to Assignee all Defenses and Claims.

IN WITNESS WHEREOF, Assignor, by its duly authorized officer
has signed this Assignment this 19 day of July 1993.

PEARCE EQUITIES GROUP II, L.L.C.

By 
Name: James T. Pearce, Jr.
Title:

MOSS ENTERTAINMENT CORP.

Exhibit 2
(July 1993)

OTHER BROADCAST INTERESTS
AND
FAMILIAL RELATIONSHIPS

Wyer

Applicant is licensee of Station KSPN(FM), Aspen, Colorado.

Charles B. Moss, Jr. is President, Director, and 51% stockholder of Applicant; he is married to Robin H. Moss, Vice President and Secretary of Applicant and Trustee of the Charles B. Moss, Jr. Family Trust, Applicant's 49% stockholder.

MOSS ENTERTAINMENT CORP.

Exhibit 3
(July 1993)

PROGRAM SERVICE STATEMENT

Assignee plans to provide programming which addresses issues of public concern facing the proposed service area. Assignee plans to address issues of local concern through newscasts and public affairs programs, when appropriate. In addition, Assignee expects to encourage the use of its facilities by candidates for public office and by other participants in the political process.

MOSS ENTERTAINMENT CORP.

EXHIBIT 4
(July 1993)

INTENTION TO RESUME BROADCASTING

Station KRKE currently is silent pursuant to Commission authority (See attached Letter From James R. Burtle, 8910-SML, dated June 24, 1993.) Assignee intends to resume broadcasting on Station KRKE within 60 days of consummation of the assignment of the Station to Assignee. In addition, if required by the Commission, Assignee will perform and file a partial proof of performance prior to resumption of broadcasting.

BROADCAST EQUAL EMPLOYMENT OPPORTUNITY

MODEL PROGRAM REPORT

1. APPLICANT

Name of Applicant Moss Entertainment Corp.	Address PO Box 12379 Aspen, CO 81612
Telephone Number (include area code) (303) 925-8190	

2. This form is being submitted in conjunction with:

☐ Application for Construction Permit for New Station ☒ Application for Assignment of License

☐ Application for Transfer of Control

(a) Call letters (or channel number of frequency) KRKE

(b) Community of License (city and state) Aspen, Colorado

(c) Service:

☒ AM ☐ FM ☐ TV ☐ Other (Specify) _____

INSTRUCTIONS

Applicants seeking authority to construct a new commercial, noncommercial or international broadcast station, applicants seeking authority to obtain assignment of the construction permit or license of such a station, and applicants seeking authority to acquire control of an entity holding such construction permit or license are required to afford equal employment opportunity to all qualified persons and to refrain from discrimination in employment and related benefits on the basis of race, color, religion, national origin or sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, an applicant who proposes to employ five or more full-time employees must establish a program designed to assure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives and Hispanics). This is submitted to the Commission as the Model EEO Program. If minority group representation in the available labor force is less than five percent (in the aggregate), a program for minority group members is not required. In such cases, a statement so indicating must be set forth in the EEO model program. However, a program must be filed for women since they comprise a significant percentage of virtually all labor forces. If an applicant proposes to employ fewer than five full-time employees, no EEO program for women or minorities need be filed.

Guidelines for a Model EEO Program and a Model EEO Program are attached.

NOTE: Check appropriate box, sign the certification below and return to FCC:

☐ Station will employ fewer than 5 full-time employees; therefore no written program is being submitted.

☒ Station will employ 5 or more full-time employees. Our Model EEO Program is attached. (You must complete all sections of this form.)

I certify that the statements made herein are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 26th day of July, 19 93

Signed _____
Title President

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

GUIDELINES TO THE MODEL EEO PROGRAM

The model EEO program adopted by the Commission for construction permit applicants, assignees and transferees contains five sections designed to assist the applicant in establishing an effective EEO program for its station. The specific elements which should be addressed are as follows:

I. GENERAL POLICY

The first section of the program should contain a statement by the applicant that it will afford equal employment opportunity in all personnel actions without regard to race, color, religion, national origin or sex, and that it has adopted an EEO program which is designed to fully utilize the skills of qualified minorities and women in the relevant available labor force.

II. RESPONSIBILITY FOR IMPLEMENTATION

This section calls for the name (if known) and title of the official who will be designated by the applicant to have responsibility for implementing the station's program.

III. POLICY DISSEMINATION

The purpose of this section is to disclose the manner in which the station's EEO policy will be communicated to employees and prospective employees. The applicant's program should indicate whether it: (a) intends to utilize an employment application form which contains a notice informing job applicants that discrimination is prohibited and that persons who believe that they have been discriminated against may notify appropriate governmental agencies; (b) will post a notice which informs job applicants and employees that the applicant is an equal opportunity employer and that they may notify appropriate governmental authorities if they believe that they have been discriminated against; and (c) will seek the cooperation of labor unions, if represented at the station in the implementation of its EEO program and in the inclusion of nondiscrimination provisions in union contracts. The applicant should also set forth any other methods it proposes to utilize in conveying its EEO policy (e.g., orientation materials, on-air announcements, station newsletter) to employees and prospective employees.

IV. RECRUITMENT

The applicant should specify the recruitment sources and other techniques it proposes to use to attract qualified minority and female job applicants. Not all of the categories of recruitment sources need be utilized. The purpose of the listing is to assist the applicant in developing specialized referral sources to establish a pool of qualified minorities and women who can be contacted as job opportunities occur. Sources which subsequently prove to be nonproductive should not be relied on and new sources should be sought.

V. TRAINING

Training programs are not mandatory. Each applicant is expected to decide, depending upon its own individual situation, whether a training program is feasible and would assist in its effort to increase the available pool of qualified minority and female applicants. Additionally, the applicant may set forth any other assistance it proposes to give to students, schools or colleges which is designed to be of benefit to minorities and women interested in entering the broadcasting field. The beneficiary of such assistance should be listed, as well as the form of assistance, such as contributions to scholarships, participation in work study programs, and the like.

MODEL EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

I. GENERAL POLICY

It will be our policy to provide employment opportunity to all qualified individuals without regard to their race, color, religion, national origin or sex in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training and termination.

It will also be our policy to promote the realization of equal employment opportunity through a positive, continuing program of specific practices designed to ensure the full realization of equal employment opportunity without regard to race, color, religion, national origin or sex.

To make this policy effective, and to ensure conformance with the Rules and Regulations of the Federal Communications Commission, we have adopted an Equal Employment Opportunity Program which includes the following elements:

II. RESPONSIBILITY FOR IMPLEMENTATION

(Name/Title) Marie Munday, General Manager will be responsible for the administration and implementation of our Equal Employment Opportunity Program. It will also be the responsibility of all persons making employment decisions with respect to the recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that our policy and program is adhered to and that no person is discriminated against in employment because of race, color, religion, national origin or sex.

III. POLICY DISSEMINATION

To assure that all members of the staff are cognizant of our equal employment opportunity policy and their individual responsibilities in carrying out this policy, the following communication efforts will be made:

- ☒ The station's employment application form will contain a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ Appropriate notices will be posted informing applicants and employees that the station is an Equal Opportunity Employer and of their right to notify an appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ We will seek the cooperation of unions, if represented at the station, to help implement our EEO program and all union contracts will contain a nondiscrimination clause.
- ☐ Other (specify)

IV. RECRUITMENT

To ensure nondiscrimination in relation to minorities and women, and to foster their full consideration whenever job vacancies occur, we propose to utilize the following recruitment procedures:

- ☒ We will contact a variety of minority and women's organizations to encourage the referral of qualified minority and women applicants whenever job vacancies occur. Examples of organizations we intend to contact are:

Aspen Women's Forum
Colorado Hispanic Media Association
Assistence para Latinos

- ☒ In addition to the organizations noted above, which specialize in minority and women candidates, we will deal only with employment services, including State employment agencies, which refer job candidates without regard to their race, color, religion, national origin or sex. Examples of these employment referral services are:

Colorado Broadcaster's Association

- ☒ When we recruit prospective employees from educational institutions such recruitment efforts will include area schools and colleges with minority and women enrollments. Educational institutions to be contacted for recruitment purposes are:

Aspen High School
Colorado Rocky Mountain School (Carbondale)
Glenwood Springs High School
Colorado Mountain College
University of Colorado at Boulder

- ☒ When we place employment advertisements with media some of such advertisements will be placed in media which have significant circulation or viewership or are of particular interest to minorities and women. Examples of media to be utilized are:

Aspen Times
Aspen Daily News
Glenwood Post

- ☒ We will encourage employees to refer qualified minority and women candidates for existing and future job openings.

V. TRAINING

- ☐ Station resources and/or needs will be such that we will be unable or do not choose to institute programs for upgrading the skills of employees.
- ☒ ^{may}
We ~~will~~ provide on-the-job training to upgrade the skills of employees.
- ☐ We will provide assistance to students, schools, or colleges in programs designed to enable qualified minorities and women to compete in the broadcast employment market on an equitable basis:

School or Other Beneficiary

Proposed Form of Assistance

- ☐ Other (specify)

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the application requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers, and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552(a)(3) AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

COLE, RAYWID & BRAVERMAN

JOHN P. COLE, JR.
BURT A. BRAVERMAN
ROBERT L. JAMES
JOSEPH R. REIFER
FRANCES J. CHETWYND
JOHN D. SEIVER
WESLEY R. HEPPLER
PAUL GLIST
DAVID M. SILVERMAN
JAMES F. IRELAND III
STEVEN J. HORVITZ
ROBERT G. SCOTT, JR.
SUSAN WHELAN WESTFALL
GARY I. RESNICK
JANET R. THOMPSON*
THERESA A. ZETERBERG
STEPHEN L. KABLER
JOHN DAVIDSON THOMAS
TIMOTHY R. FURR
MARIA T. BROWNE**
BENJAMIN E. GOLANT

ATTORNEYS AT LAW

SECOND FLOOR

1919 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006-3458

(202) 659-9750

August 24, 1993

ALAN RAYWID
(1930-1991)

CABLE ADDRESS
"CRAB"

TELECOPIER
(202) 452-0067

* ADMITTED IN PENNSYLVANIA ONLY

**ADMITTED IN VIRGINIA ONLY

VIA FEDERAL EXPRESS

Federal Communications Commission
Mass Media Services
P.O. Box 358350
Pittsburgh, PA 15251-5350

ATTN: AM Branch
Audio Services Division
Mass Media Bureau

Re: KRKE (AM)
Aspen, Colorado
Application for Assignment of License

Gentlemen:

On behalf of Gardiner Broadcast Partners, Ltd. ("Gardiner"), we hereby submit an original plus two copies of an application on FCC Form 314 requesting Commission consent to the assignment of license for KRKE (AM) in Aspen, Colorado from Gardiner to Moss Entertainment Corp. Enclosed with this application is a check payable to the Federal Communications Commission in the amount of \$565 to cover the filing fee.

Should there be any questions concerning the assignor's portion of this application, please communicate with the undersigned counsel. Should there be any questions concerning the assignee's portion of this application, please communicate with Jerome S. Silber, Esquire, Rosenman & Colin, 575 Madison Ave., New York, NY 10022-2585, at (212) 940-7052.

Very truly yours,



David M. Silverman

cc: Mr. Clifton Gardiner (w/enc.)
Jerome S. Silber, Esquire (w/enc.)

RECEIVED
Aug 30 1 47 PM '93
AM EXAM

AM EXAMINERS

FEB 16 1994

MM 96-191
COPY

COLE, RAYWID & BRAVERMAN

ATTORNEYS AT LAW

SECOND FLOOR

1919 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20006-3458

(202) 659-9750

ALAN RAYWID
(1930-1991)

CABLE ADDRESS
"CRAB"

TELECOPIER
(202) 452-0067

JOHN P. COLE, JR.
BURT A. BRAVERMAN
ROBERT L. JAMES
JOSEPH R. REIFER
FRANCES J. CHETWYND
JOHN D. SEIVER
WESLEY R. HEPPLER
PAUL GLIST
DAVID M. SILVERMAN
JAMES F. IRELAND, III
STEVEN J. HORVITZ
CHRISTOPHER W. SAVAGE
ROBERT G. SCOTT, JR.
SUSAN WHELAN WESTFALL
GARY I. RESNICK
JANET R. THOMPSON*
THERESA A. ZETERBERG
STEPHEN L. KABLER
MATTHEW P. ZINN
JOHN DAVIDSON THOMAS
MARIA T. BROWNE
BENJAMIN E. GOLANT
THOMAS SCOTT THOMPSON

February 15, 1994

RECEIVED

FEB 15 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

* ADMITTED IN PENNSYLVANIA ONLY

VIA HAND DELIVERY

William Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

ATTN: James R. Burtle, Chief
AM Branch
Audio Services Division
Mass Media Bureau

Re: KRKE(AM)
Aspen, Colorado
FCC File No. BAL-930825EC
FCC Ref. 8910-SML

Dear Mr. Caton:

On behalf of Gardiner Broadcast Partners, Ltd., Debtor-in-Possession ("Gardiner"), licensee of KRKE(AM), we hereby request continued authority for the station to remain silent pending consummation of the referenced transaction, which will assign the station to Moss Entertainment Corp. ("Moss"). Gardiner last obtained authority for the station to remain silent on November 15, 1993. However, since then, a letter was written to both Gardiner and Moss by Mr. Burtle on January 13, 1994, requesting information about the status of this transaction and plans to restore on-air operation to the station.

~~Willam C. ...~~

February 15, 1994

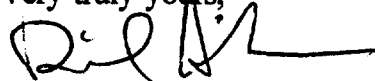
Page -2-

On January 24, 1994, counsel for Moss responded to Mr. Burtle's letter, explaining that the transaction could not be closed until the United States Bankruptcy Court for the District of Colorado approved the assignment of this license from Gardiner to Moss. A copy of this letter is attached for your convenience. It is our understanding that the appropriate petition has been filed with the Bankruptcy Court and the parties are now awaiting Bankruptcy Court approval. As soon as this transaction is consummated, it is our understanding that Moss will return the station to the air. Because of Gardiner's Chapter 11 status and the fact that this assignment is merely awaiting Bankruptcy Court and Commission approval, Gardiner does not plan on returning this station to the air prior to consummation of the assignment transaction. As explained in the attached letter from Moss' counsel, Jerome S. Boros, Moss will provide further information to the Commission following Bankruptcy Court approval of this transaction.

Gardiner hereby certifies that it is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

Should there be any questions concerning this matter, please communicate with the undersigned counsel.

Very truly yours,



David M. Silverman

Enclosure

cc: James R. Burtle, Chief
AM Branch, FCC (w/enc.)
Ms. Margaret Egler, FCC (w/enc.)
Ms. Sharlene Lofty, FCC (w/enc.)
Jerome S. Boros, Esquire (w/enc.)

RECEIVED

ATTACHMENT

FEB 1 5 1994

ROSENMAN & COLIN

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

TELEPHONE (212) 940-8800
CABLE ROCOKAY NEWYORK
TELECOPIER (212) 940-8776
(212) 935-0679
TELEX 427571 ROSCOL (ITT)
971520 RCFLC NYK (W. U.)

SAMUEL I. ROSENMAN (1896-1973)
RALPH F. COLIN (1900-1985)

WASHINGTON OFFICE
1300 19TH STREET, N. W.
WASHINGTON, D. C. 20036
TELEPHONE (202) 463-7177

January 24, 1994

WRITER'S DIRECT DIAL NUMBER

VIA HAND DELIVERY

Mr. James R. Burtle
Chief, AM Branch
Mass Media Bureau
Federal Communications Commission
Room 342
1919 M Street, N.W.
Washington, D.C. 20554

Re: Station KRKE
Aspen, Colorado
BAL-930825EC

Your Ref.: 8910-MMC

Dear Mr. Burtle:

On behalf of Moss Entertainment Corp. ("Moss"), this will confirm a telephone conversation with Margaret Egler, of your staff, concerning the pending application (File No. BAL-930825EC) to assign the license of Station KRKE, Aspen, Colorado from Gardiner Broadcast Partners, Ltd., a Debtor-In Possession ("Debtor") to Moss. In our conversation, Ms. Egler agreed that an extension of time in which to respond to your letter of January 13th to Debtor and Moss was appropriate.

As I explained to Ms. Egler, an extension is required because of Debtor's filing, in the United States Bankruptcy Court for the District of Colorado, of a Voluntary Petition under Chapter XI of the United States Bankruptcy Code (File No. 93-19507-SBB). (I enclose a copy of a letter to the Commission from Debtor's counsel, David Silverman, dated December 6, 1993, transmitting a November 30, 1993 amendment reflecting the Chapter XI filing.) The Bankruptcy Court's approval of the assignment of KRKE's license from Debtor to Moss is needed and Bankruptcy counsel to Debtor has confirmed to Moss's counsel that Debtor will seek such approval. (See the enclosed letter of January 12, 1994 from Lee M. Kutner.) Given that Bankruptcy Court approval of the transaction is some time away, Moss desires to reexamine how it shall site and equip the Station and, a extension of time

~~Mr. James D. Burtie~~

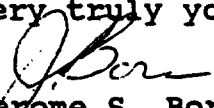
~~January 24, 1994~~

Page 2

to respond to your letter, in context, will not delay the resumption of service to KRKE's listeners. Accordingly, and in view of my conversation with Ms. Egler, this is to advise that Moss expects to respond to your letter within 30 business days from today, i.e., on or before March 8, 1994, and Moss respectfully requests an extension to that time.

In the meantime, if you require any additional information, please do not hesitate to contact me at the New York address of this firm.

Very truly yours,


Jerome S. Boros
Attorney For
Moss Entertainment Corp.

Enclosures (2)

cc: Margaret Egler, Esq. - w/encls. (2) (By Hand)
Mary McDonald - w/encls. (2) (By Hand)
David Silverman, Esq. - w/encls. (2)

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

MARY
342
MM 96-191

JAN 13 11 42 AM '94

DISPATCHED BY In Reply Refer To:
Stop Code 188B2
8910-MMC

JAN 13 1994

AM BRANCH

JAN 14 1994

RECEIVED

Gardiner Broadcast Partners, Ltd.
Radio Station KRKE(AM)
P.O. Box 5559
Avon, Colorado 81620

Moss Entertainment Corporation
P.O. Box 12379
Aspen, Colorado 81612

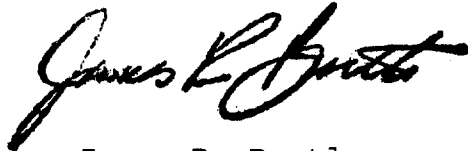
In re: KRKE(AM), Aspen, Co.
Gardiner Broadcast
Partners, Ltd.
For Assignment of License
File No. BAL-930825EC

Dear Applicants:

This refers to the above-referenced application for assignment of license KRKE(AM), Aspen, Colorado from Gardiner Broadcast Partners, Ltd. to Moss Entertainment Corporation. On September 23, 1993, October 27, 1993, November 18, 1993, and November 29, 1993, Moss Entertainment Corporation's attorney, Mr. Jerome S. Silber, was contacted by telephone and was requested to provide the following information necessary for the processing of the above-captioned application: information regarding the buyer's intent to restore operation of a silent station after consummation. This information should include a copy of the relevant lease or other evidence that the proposed assignee will possess or acquire a physical plant at the time of closing; the proposed assignee's intention with respect to returning the station to the air; and the proposed assignee's anticipated timetable for carrying out all necessary steps that may be required to return the station to the air. To date, the Commission has not received this information.

Accordingly, you are advised that failure to file the requested information within ten (10) days of the date of this letter may result in the dismissal of the application pursuant to the provisions of Section 73.3566(b) of the Commission's Rules.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Burtle". The signature is fluid and cursive, with the first name "James" being the most prominent part.

James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

cc:

David M. Silverman, Esq.
Jerome S. Silber, Esq.

NN 96-191
DUPLICATE
RECEIVED

NOV 22 1993

COLE, RAYWID & BRAVERMAN

ATTORNEYS AT LAW

SECOND FLOOR

1919 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20006-3458

(202) 659-9750

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ALAN RAYWID
(1930-1991)

CABLE ADDRESS
"CRAB"

TELECOPIER
(202) 452-0067

JOHN P. COLE, JR.
BURT A. BRAVERMAN
ROBERT L. JAMES
JOSEPH R. REIFER
FRANCES J. CHETWYND
JOHN D. SEIVER
WESLEY R. HEPPLER
PAUL GLIST
DAVID M. SILVERMAN
JAMES F. IRELAND, III
STEVEN J. HORVITZ
CHRISTOPHER W. SAVAGE
ROBERT G. SCOTT, JR.
SUSAN WHELAN WESTFALL
GARY I. RESNICK
JANET R. THOMPSON*
THERESA A. ZETERBERG
STEPHEN L. KABLER
MATTHEW P. ZINN
JOHN DAVIDSON THOMAS
MARIA T. BROWNE
BENJAMIN E. GOLANT

November 22, 1993

* ADMITTED IN PENNSYLVANIA ONLY

VIA HAND DELIVERY

William F. Caton, Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

ATTN: Audio Services Division
Mass Media Bureau

Re: KRKE(AM) BAL-931029GS
KPKE(AM) BAL-931029GU
KZYR(FM) BAPLH-931029GQ
KSMT(FM) BALH-931029GR
KSNO-FM BALH-931029GT
KKYY(FM) BAPLH-931029GV
KIDN-FM BALH-931029GW
Pro Forma Assignment of Licenses

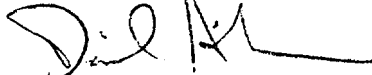
Dear Mr. Caton:

On behalf of Gardiner Broadcast Partners, Ltd., we hereby advise you that the referenced stations are now under the ownership of Gardiner Broadcast Partners, Ltd. as debtor-in-possession, pursuant to the pro forma assignment application filed October 29, 1993. Accordingly, all licenses for these stations should now reflect Gardiner Broadcast Partners, Ltd., debtor-in-possession as the licensee. Since there has been no change in the ownership of this company, no Ownership Report will be filed.

William F. Caton, Secretary
November 22, 1993
Page -2-

Should there be any questions concerning this matter, please communicate with the undersigned counsel.

Very truly yours,



David M. Silverman

bcc: Mr. Clifton Gardiner

MM 96-191

COPY

COLE, RAYWID & BRAVERMAN

ATTORNEYS AT LAW

SECOND FLOOR

1919 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20006-3458

(202) 659-9750

ALAN RAYWID
(1930-1991)

CABLE ADDRESS
"CRAB"

TELECOPIER
(202) 452-0067

JOHN P. COLE, JR.
BURT A. BRAVERMAN
ROBERT L. JAMES
JOSEPH R. REIFER
FRANCES J. CHETWYND
JOHN D. SEIVER
WESLEY R. HEPPLER
PAUL GLIST
DAVID M. SILVERMAN
JAMES F. IRELAND, III
STEVEN J. HORVITZ
CHRISTOPHER W. SAVAGE
ROBERT G. SCOTT, JR.
SUSAN WHELAN WESTFALL
GARY I. RESNICK
JANET R. THOMPSON*
THERESA A. ZETERBERG
STEPHEN L. KABLER
MATTHEW P. ZINN
JOHN DAVIDSON THOMAS
MARIA T. BROWNE
BENJAMIN E. GOLANT

* ADMITTED IN PENNSYLVANIA ONLY

December 6, 1993

RECEIVED

DEC - 6 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

ATTN: AM Branch
Audio Services Division
Mass Media Bureau

Re: KRKE(AM)
Aspen, Colorado
FCC File No. BAL-930825EC

AM EXAMINERS
DEC 07 1993

Dear Mr. Caton:

On behalf of Gardiner Broadcast Partners, Ltd., we hereby submit an original plus two copies of an amendment changing the name of the assignor in the referenced assignment application to Gardiner Broadcast Partners, Ltd., Debtor-in-Possession. Although this application was granted November 22, 1993, the assignment has not yet been consummated. This amendment is made for the purpose of conforming the application to the name of the licensee pursuant to a pro forma assignment of the station granted by the Commission in FCC File No. BAL-931029GS.